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8 TATYANA EVGENIEVNA
9 DREVALEVA,
10 Plaintiff,
11 v.
12 LAUREL BEELER, et al.,
13 Defendants.

Case No. [20-cv-00642-JD](#)

ORDER RE IFP STATUS

14 In Tatyana Drevaleva's pending appeal, the Ninth Circuit made a limited referral back to
15 this Court to determine whether a prior grant of in forma pauperis status should continue, or
16 whether the appeal is frivolous or taken in bad faith. Dkt. No. 39.

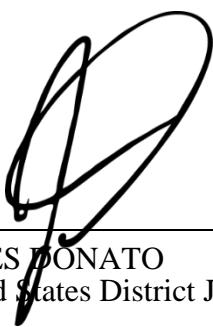
17 Drevaleva's appeal is frivolous. In this case, Drevaleva has sued Magistrate Judge Laurel
18 Beeler for her rulings in, and handling of, Drevaleva's previous case against her former employer
19 and others, *Drevaleva v. Alameda Health System et al.*, Case No. 3:16-cv-07414-LB, to which
20 Judge Beeler was assigned as presiding judge. Judge Beeler's order dismissing Drevaleva's
21 complaint in that case was affirmed by the Ninth Circuit in Case No. 17-16382. In any event,
22 Drevaleva's complaint in this case takes aim at Judge Beeler's actions as a judicial officer, and as
23 such, it is squarely barred by the judicial immunity doctrine. *See Stump v. Sparkman*, 435 U.S.
24 349, 356-57 (1978); *see also Ashelman v. Pope*, 793 F.2d 1072, 1076 (9th Cir. 1986).

25 The Court consequently would have revoked Drevaleva's IFP status for her appeal because
26 her action has no arguable basis in fact or law, but it appears that step is unnecessary now that
27 Drevaleva has paid the \$505.00 filing fee for her appeal. Dkt. No. 40.

1 The Clerk is requested to forward this order to the Ninth Circuit in Case No. 20-17523.

2 **IT IS SO ORDERED.**

3 Dated: January 25, 2021

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JAMES DONATO
United States District Judge